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C O N F I D E N T I A L SECTION 01 OF 02 KUALA LUMPUR 000583

SIPDIS

FOR EAP/MTS AND G/TIP

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TAGS: [KTIP](#) [KCRM](#) [KWMN](#) [MY](#) [PGOV](#) [PHUM](#) [PREL](#) [SMIG](#)

SUBJECT: ATTORNEY GENERAL STRESSES INCREASED GOM ENGAGEMENT
ON TIP

Classified By: ADCM Marrie Schaefer for reasons 1.4 b and d.

Summary

¶1. (C) In A July 13 meeting with the Ambassador undertake at our initiative, Attorney General Abdul Gani Patail affirmed the GOM was committed to achieving progress on TIP enforcement issues. He welcomed embassy assistance and involvement in the process, exemplified by an invitation for embosffs to participate in an unprecedented July 15 meeting involving AGC (Attorney General Chambers) officials and the leading local NGO dealing with TIP. End Summary

¶2. (SBU) Ambassador Keith, accompanied by LEGAT and acting Polcouns, met with Attorney General Gani and his top staff on July 13 to discuss TIP (among other issues reported septels). The Ambassador underscored the Obama Administration,s high priority accorded to fighting TIP, including Secretary Clinton,s personal involvement. The Ambassador conveyed our strong desire to partner with the Attorney General and his colleagues to achieve tangible progress toward eliminating TIP in Malaysia.

¶3. (C) The Ambassador thanked the AG for including embosffs in a July 15 meeting involving AGC staff, Tenaganita (the leading local NGO engaged on TIP) and the national human rights commission SUHAKAM. Gani asserted that "on TIP we (i.e. the AG and his staff) have done our part," "moved the police force" and "took some risks to move ahead." Noting that while Tenaganita "seemed to be anti-government," Gani acknowledged that the NGOs "had raised some valid, serious points," and Tenaganita "needed to be included in any case given their leading role on the TIP issue." ((Note. Tenaganita,s chief coordinator for TIP Aegile Fernandez separately told us that she will be attending the July 15 meeting "with an open mind" regarding the AGC,s intentions. End Note.))

¶4. (C) The Ambassador summarized briefly our bilateral interaction on TIP issues over the past several years, citing real progress on the subject of trafficking in women victims who often ended up in brothels; our serious concern about allegations of official complicity in trafficking of Burmese refugees and our anticipation that ongoing investigations by the relevant authorities in Malaysia would produce tangible results; and our wish to explore further with Malaysian authorities the complex set of issues related to labor trafficking, involving both men and women, which still needed increased emphasis from the Malaysian authorities, due in no small part to the overlap between sensitive immigration and employment issues that were sometimes conflated with the problems of victims of trafficking.

¶5. (C) Gani agreed that the labor issue was the more complex and difficult of these, with more interest groups with diverging objectives involved, along with very porous borders

facilitating illegal movements of labor migrants. The AG cited Indonesia,s and Malaysia,s recent agreement to resume sending maids to Malaysia, and progress on formulating a new GOM-GOI MOU, as positive steps. Gani also said that if Malaysian officials were found to be involved in trafficking he would see to it that malefactors would be investigated and prosecuted.

15. (C) Gani said even though he believed sufficient laws already existed, he had pushed through Malaysia,s TIP law because he wanted to demonstrate to the U.S. and others in the international community that the GOM was committed to strong engagement on TIP. Predictably, he continued, the passage of the law had not alleviated continuing problems in enforcement. The Ambassador stressed that political will was indeed key, and recalled that by robustly engaging the TIP issue South Korea had managed to go from a Tier 3 to a Tier 1 country in a short time. Gani emphasized his government,s fervent desire to return to the Tier 2 if not Tier 1 status. Venting mildly his frustration with Malaysia,s Tier 3 status, Gani wondered rhetorically what distinctions could be made between Malaysia and its neighbors that led to the conclusion that somehow Malaysia was in worse shape. He requested U.S. help in pressing TIP source countries such as Indonesia and the Philippines to cooperate with the GOM on the issue. Gani also indicated that Foreign Minister Anifah planned to raise the TIP issue at this week,s NAM meeting in Egypt, both as a means of highlighting Malaysia,s renewed commitment to advance anti-TIP efforts and to elicit support from NAM countries for that position. The Ambassador agreed that TIP was a regional issue and said the U.S. would continue to engage ASEAN

KUALA LUMP 00000583 002 OF 002

countries and ASEAN itself on TIP. He also noted the importance of clearly distinguishing between TIP and people smuggling, recognizing the link between the two in Malaysia,s anti-trafficking law.

KEITH